

Fifty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2069

Introduced by

Judiciary Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact section 50-06-06.13 of the North Dakota Century Code,
2 relating to the provision of treatment services for children with serious emotional disorders.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 50-06-06.13 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **50-06-06.13. Treatment services for children with serious emotional disorders.**

7 The department shall establish in all human service regions a program to provide out-of-home
8 treatment services for a medicaid-eligible child with a serious emotional disorder. The
9 department may not require a parent or legal guardian to transfer legal custody of the child in
10 order to have the child placed in an out-of-home treatment program when the sole reason for
11 the placement is the need to obtain services for the child's emotional or behavioral problems
12 ~~and both parents or the legal guardian have agreed to the child's voluntary placement or, if~~
13 ~~there is a parental disagreement, there is a judicial determination by the juvenile court that~~
14 ~~placement is in the best interests of the child.~~ With departmental approval, a parent with legal
15 and physical custody of the child may obtain treatment services for the child through the
16 program. A parent without physical custody of a child, who disagrees with a child's treatment
17 under this section, may request a judicial determination regarding the child's treatment.